

**CITY COUNCIL MEETING
FEBRUARY 4, 2003**

Date & Time	On the 4 th day of February, A.D., 2003, the City Council of the City of Fort Worth, Texas, met in regular session at 7:15 p.m. in the City Council Chamber, 1000 Throckmorton, with the following members and officers present:
Attendance	<p>Mayor Kenneth Barr; Mayor Pro tempore Ralph McCloud; Council Members Jim Lane, Chuck Silcox, Becky Haskin, Frank Moss, Clyde Picht, Jeff Wentworth, and Wendy Davis; City Manager Gary Jackson; City Attorney David Yett; City Secretary Gloria Pearson. With more than a quorum present, the following business was transacted.</p> <p>Mayor Barr requested a moment of silence in honor of the astronauts aboard the Columbia Space Shuttle who gave their lives this past weekend.</p>
Invocation	The invocation was given by Reverend Linda McDermott, First United Methodist Church.
Pledge	The Pledge of Allegiance was recited.
Minutes	On motion of Council Member Davis, seconded by Council Member Haskin, the minutes of the regular meeting of January 28, 2003, were approved unanimously.
Special Presentations	<p>Mayor Pro tempore McCloud presented a Proclamation for Fort Worth Public Library Foundation Day. Gleniece Robinson, Library Director, briefed Council on various renovation phases of the Central Library and expressed appreciation to everyone involved in the process. Mr. Steve Bernstein, Chairman of the Fort Worth Public Library Foundation, presented a check for \$400,000.00 to the City for final payment on this project.</p> <p>Mr. Don Legg, representing Bell Helicopter and the North Texas Clean Air Coalition Executive Board, presented the North Texas Clean Air Coalition's 2002 Employer of the Year Award to the Environmental Management Department.</p> <p>Ms. Katherin Baker, Chair, Community Relations Committee presented Annual Human Relations Commission Awards.</p> <p>Council Members Picht and Lane presented Certificates of Recognition to the following former Board and Commission Members:</p>

Kim Dignum	Aviation Advisory Board
Emily Wilson	Library Advisory Board
Janice Michel	City Zoning Commission
Bill Pokluda	Community Development Council
Santos Aguilera	Board of Adjustment

Council Member Davis and Fire Chief Charles Gaines, recognized Mr. Leon Gonzales III for acts of heroism on December 29, 2002, for saving the life of his neighbor Mr. Ray Andrus.

Announcements Ms. Gina Bivens-Mathis, Chair of the “T” Board, introduced their new General Manager, Mr. Dick Ruddell. Mr. Ruddell stated that he looked forward to working with the Council on “T” issues.

Council Member Silcox announced that a Bowling Tournament to benefit Police Officer Lisa Ramsey would be held February 9, 2003, from 10:00 a.m. to 4:00 p.m. at the Don Carter Lanes, 6601 Oakmont Boulevard.

Council Member Picht stated that he and Council Member Silcox had an opportunity to be in Austin when State Representative Anna Mowrey of the 96th District presented her annexation bill. He stated that the bill was not anti-annexation, or pro annexation, but allowed for better planning. He further stated that this was an opportunity for Council to carefully plan for future annexations of this City.

Mayor Pro tempore McCloud invited everyone to celebrate Black History Month by attending the Black History Month Breakfast next Thursday, February 13, 2003, at 7:30 a.m. at the Fort Worth Convention Center.

Mayor Barr announced that he attended a kickoff of a new program at the Northside Recreation Center February 1, 2003, and asked Ms. Abby Gamboa of the Near Northside Partners Council to provide additional information on the program. Ms. Gamboa stated that a Northside Coalition was formed to assist residents prepare their income tax returns. She added that many residents were unaware of the Earned Income Tax Credits (EITC) that they could claim, inasmuch as Fort Worth residents lost \$22 million last year in unclaimed EITC. She stated that this program provided assistance free of charge. She further stated that assistance would be provided each Saturday from 10:00 a.m. to 2:00 p.m. at the Northside Center and 5:30 p.m. to 7:30 p.m. on Tuesday and Thursday at the Northside Partners Council.

Withdrawn from Consent Agenda Council Member Picht requested that Mayor and Council Communication No. C-19456 be withdrawn from the consent agenda.

City Manager Jackson requested that Mayor and Council Communication No. G-13870 be withdrawn from the consent agenda.

Continued/Withdrawn By Staff City Manager Jackson requested that Mayor and Council Communication No. G-13876 be continued for one week.

Consent Agenda On motion of Council Member Silcox, seconded by Council Member Moss, the consent agenda, as amended, was adopted unanimously.

**Res. #2910
Endorse Priority Projects for Authorization in TEA-3** There was presented Resolution No. 2910 endorsing the City of Fort Worth priority projects for authorization in Transportation Equity Act 3 (TEA-3). Council Member Davis made a motion, seconded by Council Member Lane that the recommendation be adopted. The motion carried unanimously.

Council Member Picht excused himself from the table at this time.

**Res. #2911
Appoint Chairperson & Members to Tax Increment Reinvestment Zone #2
(Speedway TIF)** There was presented Resolution No. 2911 appointing the chairperson of the Board of Directors and acknowledging the appointment of three members to the Board of Directors of Tax Increment Reinvestment Zone No. 2, Fort Worth, Texas (Speedway TIF), effective February 4, 2003, and with terms expiring on December 31, 2004, as follows:

BOARD OF DIRECTORS

<u>NAME</u>	<u>APPOINTING ENTITY</u>
Howard Young	Representative Mary Denny
Lynn Gamron	Northwest ISD
Tye DeBerry	Denton County
Jim Lane, Chairperson	City of Fort Worth
Frank Moss	City of Fort Worth
Albert Perez	City of Fort Worth
Tom Kelly	City of Fort Worth
David Farmer	City of Fort Worth
Keith Stockwell	Senator Jane Nelson

Council Member Wentworth made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously.

Continued for
One Week

There was presented a resolution appointing the chairperson of the Board of Directors and acknowledging the appointment of three members to the Board of Directors of Tax Increment Reinvestment Zone No. 3, Fort Worth, Texas (Downtown TIF), effective February 4, 2003, and with terms expiring on December 31, 2004, as follows:

BOARD OF DIRECTORS

<u>NAME</u>	<u>APPOINTING ENTITY</u>
Dan Villegas	Representative Lon Burnham
Elaine Klos	Fort Worth ISD
Roy Brooks	Tarrant County
Kenneth Barr, Chairperson	City of Fort Worth
Bill Boecker	City of Fort Worth
Michael Burr	City of Fort Worth
Nina Petty	City of Fort Worth
Jeffrey Rattikin	City of Fort Worth
Christene Moss	Senator Mike Moncrief

Council Member Silcox made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be continued for one week. The motion carried unanimously.

Res. #2912
Appoint
Chairperson &
Members of Tax
Increment
Reinvestment
Zone #4
(Southside TIF)

There was presented Resolution No. 2912 appointing the chairperson and two members of the Board of Directors of Tax Increment Reinvestment Zone No. 4, Fort Worth, Texas (Southside TIF), effective February 4, 2003, with terms expiring as follows:

BOARD OF DIRECTORS

<u>NAME</u>	<u>TERM EXPIRES</u>
Ralph McCloud	December 31, 2004
Jon Ed Robbins	December 31, 2004

APPOINTING ENTITY/EXPIRATION

Wendy Davis, Chairperson	City of Fort Worth December 31, 2003
Jeff Wentworth	City of Fort Worth December 31, 2003
Juan Rangel	Fort Worth ISD December 31, 2003
Kristin Jenkins	Tarrant County Hospital District December 31, 2003
Nancy King	Tarrant Regional Water District December 31, 2003

Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

Res. #2913
Appoint
Chairperson of
Tax Increment
Reinvestment
Zone #5 (Dell
TIF)

There was presented Resolution No. 2913 appointing Jeff Wentworth as Chairperson of the Board of Directors of Tax Increment Reinvestment Zone No. 5, Fort Worth, Texas (Dell TIF). Mayor Pro tempore McCloud made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously.

Res. #2914
Appoint
Chairperson &
Members of Tax
Increment
Reinvestment
Zone #6
(Riverfront TIF)

There was presented Resolution No. 2914 appointing the chairperson and the Board of Directors of Tax Increment Reinvestment Zone No. 6, Fort Worth, Texas (Riverfront TIF), effective February 4, 2003, with terms expiring as follows:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Ralph McCloud, Chairperson	December 31, 2004
Roy Brooks	December 31, 2003
Dionne Bagsby	December 31, 2004
G.K. Maenius	December 31, 2003
Shirley Williams	December 31, 2004
Nina Petty	December 31, 2003

	<u>APPOINTING ENTITY/EXPIRATION</u>
Jean McClung	Fort Worth ISD December 31, 2003
Jon Ed Robbins	Tarrant County December 31, 2004
Vacant	Tarrant County Hospital District December 31, 2003
David Wells	Tarrant County College District December 31, 2004
Wayne Owen	Tarrant County Water District December 31, 2003

Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

OCS-1329
Claims

There was presented Mayor and Council Communication No. OCS-1329 from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Finance/Risk Management Department. It was the consensus of the City Council that the recommendation be adopted.

**G-13868
Reallocate
CBDG Funds for
JMSL Model
Blocks**

There was presented Mayor and Council Communication No. G-13868 from the City Manager recommending that the City Council authorize reallocation of \$15,760.92 in Community Development Block Grant (CDBG) Year XX funds, previously allocated to provide enhancements to the Jennings, May, St. Louis (JMSL) Neighborhood Park and entry portals, to assist in the rehabilitation of Old Firehouse No. 10; and authorize amendment of the CDBG Year XX Annual Consolidation Plan to reflect the reallocation. It was the consensus of the City Council that the recommendation be adopted.

**G-13869
Amend City Plan
Commission
Subdivision
Rules &
Regulations**

There was presented Mayor and Council Communication No. G-13869 from the City Manager recommending that the City Council adopt seven amendments to the City Plan Commission Subdivision Rules and Regulations. The amendment identified as Section 103 – “Notice” requirements for all applications; Section 203 – “Area Development Concept Plan”; Section 205C, “Recording and Final Plat”; Section 208 – “Amended and Minor Plats” as endorsed by the City Plan Commission on November 27, 2002; Section 408 – “Building Set Back Lines” as endorsed by the City Plan Commission on May 22, 2002; amendments identified as Section 106 – “Vacation and Closure Procedures for Public and Private Streets, Alleys and Access Easements, and for Drainage and Utility Easements”; and Section 413 – “High Pressure Gas and Oil Pipelines” as endorsed by the City Plan Commission on June 26, 2002. It was the consensus of the City Council that the recommendation be adopted.

Council Member Picht assumed his chair.

**G-13870
Master
Thoroughfare
Plan
Amendment
(MT-02-005)**

There was presented Mayor and Council Communication No. G13870 from the City Manager recommending that the City Council adopt the proposed amendment to the Master Thoroughfare Plan, MT-02-005, to extend North Tarrant Parkway and realign Harmon Road. Council Member Davis made a motion, seconded by Council Member Haskin, that Mayor and Council Communication No. G-13870 be adopted. The motion carried unanimously.

**G-13871
Temporary
Street Closure
for Main Street
Fort Worth Arts
Festival for 2003**

There was presented Mayor and Council Communication No. G-13871 from the City Manager recommending that the City Council approve the request of Downtown Fort Worth, Inc. to temporarily close various streets for the Main Street Fort Worth Arts Festival for the year 2003, for the fourth week in April. It was the consensus of the City Council that the recommendation be adopted.

**G-13872
Dedication Deed
from Oncor
Electric
Company**

There was presented Mayor and Council Communication No. G-13872 from the City Manager recommending that the City Council approve the acceptance of one road dedication deed from Oncor Electric Delivery Company (DOE 4000) for property described as a portion of Hiram Little Survey, Abstract No. 930, east of I-35W between Garden Acres Drive and Rendon Crowley Road. It was the consensus of the City Council that the recommendation be adopted.

**G-13873
Ord. #15426
Comprehensive
Energy
Assistance
Program**

There was presented Mayor and Council Communication No. G-13873 from the City Manager recommending that the City Council:

1. Authorize the City Manager to accept funds in the amount of \$163,609.00 from the Texas Department of Housing and Community Affairs through December 31, 2002, increasing the Fiscal Year 2002 Comprehensive Energy Assistance Program allocation from \$1,213,908.00 to \$1,377,517.00; and
2. Adopt Appropriation Ordinance No. 15426 increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$163,609.00 from available funds for the purpose of funding the Comprehensive Energy Assistance Program (CEAP); and
3. Apply indirect costs at a rate of 26.19 percent, which is the most recently approved rate for this department, and apply the new, approved rate when available.

It was the consensus of the City Council that the recommendation be adopted.

**G-13874
Ord. #15427
Grant from
TDHCA for
FY2003
Comprehensive
Energy
Assistance
Program**

There was presented Mayor and Council Communication No. G-13874 from the City Manager recommending that the City Council:

1. Authorize the City Manager to accept a grant from the Texas Department of Housing and Community Affairs (TDHCA) in the amount of \$665,405.00; and
2. Authorize a non-interest bearing inter-fund loan from the General Fund to the Grants Fund in the amount of \$166,351.00 for interim financing of this grant project pending contract execution; and

- 3. Adopt Appropriation Ordinance No. 15427 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$655,405.00, subject to receipt of a grant from the Texas Department of Housing and Community Affairs for the purpose of funding the Fiscal Year 2003 Comprehensive Energy Assistance Program; and**
- 4. Apply indirect costs at a rate of 26.19 percent, which is the most recently approved rate for this department, and apply the new, approved rate when available.**

It was the consensus of the City Council that the recommendation be adopted.

**G-13875
Ord. #15428
Extend Contract
with TDHCA for
FY2003
Community
Services Block
Grant**

There was presented Mayor and Council Communication No. G-13875 from the City Manager recommending that the City Council:

- 1. Authorize the City Manager to accept funds in the amount of \$1,029,100.00 from the Texas Department of Housing and Community Affairs (TDHCA) for the Fiscal Year 2003 Community Services Block Grant program; and**
- 2. Authorize a non-interest bearing inter-fund loan from the General Fund to the Grants Fund in the amount of \$257,275.00 for interim financing of this grant project pending contract execution; and**
- 3. Adopt Supplemental Appropriation Ordinance No. 15428 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$1,029,100.00, subject to receipt of a grant from the Texas Department of Housing and Community Affairs for the purpose of funding the Community Services Block Grant; and**
- 4. Apply indirect costs at a rate of 26.19 percent, which represents the most recently approved rate for this department, and apply the new, approved rate.**

It was the consensus of the City Council that the recommendation be adopted.

Council Member Silcox excused himself from the table at this time.

Public Hearing It appeared that the City Council set today as the date for a public hearing on the December 20, 2002 Draft of the City of Fort Worth Comprehensive Plan. Mayor Barr asked if there was anyone present desiring to be heard.

Ms. Dana Burghdoff, representing the Planning Department, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. G-13876, as follows:

G-13876 There was presented Mayor and Council Communication No. G-
Continued for 13876 from the City Manager recommending that the City Council:
One Week

1. Conduct a public hearing on the December 20, 2002 draft of the City's 2003 Comprehensive Plan and the addendum of future land use map amendments recommended by the City Plan Commission on December 20, 2002, to allow the public the opportunity to give testimony and present written evidence; and
2. Adjourn the public hearing; and
3. Schedule discussion of the public comments at the February 18, 2003 Pre-Council meeting.

There being no one present desiring to be heard in connection with the public hearing on the December 20, 2002 draft of the City of Fort Worth 2003 Comprehensive Plan, Council Member Davis made a motion, seconded by Council Member Wentworth, that the public hearing be continued one week. The motion carried unanimously.

Council Member Haskin made a motion, seconded by Council Member Davis, to reconsider Resolution No. 2910. The motion carried unanimously.

Res. #2910 There was presented Resolution No. 2910 endorsing the City of
Endorse Priority Fort Worth priority projects for authorization in Transportation
Projects for Equity Act 3 (TEA-3).
Authorization in

TEA-3 Council Member Haskin made a motion, seconded by Council
Member Davis that the resolution be amended with the following
additions to the Transit Projects:

Priority 3: Union Pacific Commuter Rail
Priority 4: Cottonbelt Commuter Rail

The motion carried unanimously.

**G-13877
Ord. #15429
Donation from
Lockheed Martin
Aeronautics
Company for
Environmental
Education
Program**

There was presented Mayor and Council Communication No. G-13877 from the City Manager recommending that the City Council:

- 1. Authorize the City Manager to accept a donation in the amount of \$5,000.00 from Lockheed Martin Aeronautics Company for the Environmental Management Department's education program; and**
- 2. Adopt Appropriation Ordinance No. 15429 increasing estimated receipts and appropriations in the Environmental Management Fund in the amount of \$5,000.00 from available funds, for the purpose of funding an Environmental Education Program.**

Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted with appreciation. The motion carried unanimously.

**G-13878
Ord. #15430
Donation from
Wal-Mart for
Environmental
Education
Program**

There was presented Mayor and Council Communication No. G-13878 from the City Manager recommending that the City Council:

- 1. Authorize the City Manager to accept a donation from Wal-Mart in the amount of \$500.00 for the Education Division of the Environmental Management Department; and**
- 2. Adopt Appropriation Ordinance No. 15430 increasing estimated receipts and appropriations in the Environmental Management Fund in the amount of \$500.00 from available funds, for the purpose of funding an Environmental Education Program**

Council Member Davis made a motion, seconded by Council Member Haskin, that the recommendation be adopted with appreciation. The motion carried unanimously.

**P-9744
Vehicles &
Equipment**

There was presented Mayor and Council Communication No. P-9744 from the City Manager recommending that the City Council authorize the purchase of new vehicles and equipment for the City of Fort Worth from cooperative purchasing programs with the Texas Association of School Boards and Tarrant County and a state contract through the Texas Department of Criminal Justice at a total cost not to exceed \$509,136.54 with payment due within 30 days of the date of invoice. It was the consensus of the City Council that the recommendation be adopted.

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| P-9745
Customer
Service
Management
Software &
Maintenance | There was presented Mayor and Council Communication No. P-9745 from the City Manager recommending that the City Council authorize the purchase of software, system installation services and training for HEAT, a customer service management system from Alliance Technology for use by the Information Technology Solutions Department for an estimated cost of \$127,334.00 using the State of Texas catalogue purchasing procedures; and authorize the purchase of yearly software maintenance from Alliance Technology with a first year cost of \$10,234.00; and authorize the yearly software maintenance agreement to begin February 4, 2003, and expire February 3, 2004, with options to renew for four successive one-year periods. It was the consensus of the City Council that the recommendation be adopted. |
| L-13499
Condemnation
of Permanent
Easement | There was presented Mayor and Council Communication No. L-13499 from the City Manager recommending that the City Council declare the necessity of taking an interest for easement rights on a parcel of land owned by the E. Crawford Family, LP for construction of a water and sanitary sewer line extension at 4004 Golden Triangle Boulevard, located at the southeast corner of Old Denton Road and Golden Triangle Boulevard (DOE 3311); and authorize the City Attorney to institute condemnation proceedings to acquire the interest in the land. It was the consensus of the City Council that the recommendation be adopted. |
| L-13500
Permanent
Drainage &
Utility Easement | There was presented Mayor and Council Communication No. L-13500 from the City Manager recommending that the City Council approve the acceptance of one permanent drainage and utility easement described as a portion of William McCowen Survey, Abstract No. 999, Tarrant County, Texas, from Jerry E. Crawford for the construction, operation, and maintenance of a sanitary sewer and drainage infrastructure to serve the Crawford Farms, Phase II, residential development (DOE 3828). It was the consensus of the City Council that the recommendation be adopted. |
| L-13501
Release
Permanent
Sanitary Sewer
Easements &
Accept
Permanent
Sanitary Sewer
Easements | There was presented Mayor and Council Communication No. L-13501 from the City Manager recommending that the City Council authorize the release and abandonment of two permanent sanitary sewer easements dedicated to the City by Societe Generale Financial Corporation and Ellesmere Investments Corporation, Inc.; and approve the acceptance of two permanent sanitary sewer easements described as a part of William McCowen Survey, Abstract No. 999, Tarrant County, Texas, from Societe Generale Financial Corporation and Ellesmere Investments Corporation, Inc. |

necessary for the construction of sanitary sewer main M-452 in North Tarrant County (DOE 3237). It was the consensus of the City Council that the recommendation be adopted.

**L-13502
Lease T-Hangar
Unit 24S-1 at FW
Meacham
International
Airport**

There was presented Mayor and Council Communication No. L-13502 from the City Manager recommending that the City Council authorize the City Manager to execute T-Hangar lease agreement with Rob Rutledge for T-Hangar Unit 24S-1 at Fort Worth Meacham International Airport. It was the consensus of the City Council that the recommendation be adopted.

**L-13503
Lease T-Hangar
Unit 24S-10 at
FW Meacham
International
Airport**

There was presented Mayor and Council Communication No. L-13503 from the City Manager recommending that the City Council authorize the City Manager to execute a T-Hangar lease agreement with Rod Lawrence for T-Hangar Unit 24S-10 at Fort Worth Meacham International Airport. It was the consensus of the City Council that the recommendation be adopted.

**L-13504
Amendment #1
to CSC #27664 –
Lease Office
Space at FW
Meacham
International
Airport**

There was presented Mayor and Council Communication No. L-13504 from the City Manager recommending that the City Council authorize the City Manager to execute Amendment No. 1 to City Secretary Contract No. 27664, a lease with Mission Research Corporation for office space in the terminal building at Fort Worth Meacham International Airport. It was the consensus of the City Council that the recommendation be adopted.

**PZ-2453
Ord. #15431
Annexation of 48
Acres in Jesse
Billingsley
Survey
AX-02-0010**

There was presented Mayor and Council Communication No. PZ-2453 from the City Manager recommending that the City Council approve Ordinance No. 15431 declaring certain findings; providing for the extension of certain boundary limits of the City of Fort Worth; providing for the annexation of a certain 47.562 acres of land (.075 sq. miles), more or less, out of the Jesse Billingsley Survey, Abstract No. 70, Tarrant County, Texas, and being the remainder portion of a tract of land described in the deed to Guy C. Browning and wife Minnie L. Browning, Tarrant County, Texas, said tract also being all of three tracts of land described in the deed to Claudia Jean Browning, Tarrant County, Texas; said 3.26 acres of land (Annexation Case No. AX-02-0010) which said territory lies adjacent to and adjoins the present corporate boundary limits of Fort Worth, Texas; providing that the territory annexed shall bear its pro rata part of taxes; providing that the inhabitants thereof shall have all the privileges of all the citizens of Fort Worth, Texas; providing that this ordinance shall amend every prior ordinance in conflict herewith. It was the consensus of the City Council that the recommendation be adopted.

PZ-2454
Ord. #15432
Street Vacation
VA-01-024

There was presented Mayor and Council Communication No. PZ-2454 from the City Manager recommending that the City Council adopt Ordinance No. 15432 vacating a 40-foot wide portion of the 100 block of West Terrell Avenue, Terrell's Subdivision, Tarrant County, Texas.

Council Member Moss informed Council that he had filed a Conflict of Interest Affidavit with the City Secretary and would abstain from voting on this issue.

Council Member Davis made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried by the following vote:

AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Haskin, Picht,
Wentworth, and Davis

NOES: None

ABSENT: Council Member Silcox

NOT VOTING: Council Member Moss

C-19453
So7#1, L.P.

There was presented Mayor and Council Communication No. C-19453, dated January 28, 2003, from the City Manager recommending that the City Council authorize the City Manager to execute an Economic Development Program Agreement with So7#1, L.P. governing the obligations of both the City and So7#1, L.P. with respect to the development of the South of Seventh Project; and authorize the expenditure of no more than \$145,000.00 in City funds for projects related to this agreement. Council Member Davis made a motion, seconded by Council Member Moss, that the recommendation be adopted. The motion carried unanimously.

C-19454
So7#1, L.P.

There was presented Mayor and Council Communication No. C-19454, dated January 28, 2003, from the City Manager recommending that the City Council authorize the City Manager to execute an Enhanced Community Facilities Agreement in the amount of \$940,000.00 with So7#1, L.P. for the installation of community facilities for the South of Seventh Addition. Council Member Davis made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.

**C-19455
Res. #2915
So7#1, L.P.**

There was presented Mayor and Council Communication No. C-19455 from the City Manager recommending that the City Council:

- 1. Adopt Resolution No. 2915 affirming that the private developer commitments required by the Transportation-Land Use Joint Venture Grant Program have been met for the South of Seventh Development Project; and**
- 2. Authorize the North Central Texas Council of Governments to place this project in the Statewide Transportation Improvement Plan; requesting that the North Central Texas Council of Governments place the South of Seventh Project in the Statewide Transportation Improvement Plan; and authorizing the City Manager to execute a grant agreement with the Texas Department of Transportation related to the South of Seventh Development Project; and**
- 3. Authorize the City Manager to enter into a Transportation-Land Use Joint Venture Grant Agreement with the Texas Department of Transportation, contingent upon a finalized agreement with So7#1, L.P. for the local match.**

Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

**C-19456
ETC Institute**

There was presented Mayor and Council Communication No. C-19456 from the City Manager recommending that the City Council authorize the City Manager to execute a professional services contract with the ETC Institute for the design, administration, execution and analysis of a survey of Fort Worth citizens' attitudes, options and preferences regarding the quality, desired quantity, and priority of City services, at a cost not to exceed \$44,240.00.

Council Member Picht commended ETC Institute for conducting a very successful 2002 citizen survey. He further stated that the survey should be accepted as presented without manipulating the data received.

Council Member Davis made a motion, seconded by Council Member Wentworth, that Mayor and Council Communication No. C-19456 be adopted. The motion carried unanimously.

**C-19457
TranSystems
Corporation**

There was presented Mayor and Council Communication No. C-19457 from the City Manager recommending that the City Council authorize the City Manager to execute an engineering services agreement with TranSystems Corporation in the amount of \$262,376.00 for the Berry Street streetscape project from Waits Avenue to Forest Park Boulevard. It was the consensus of the City Council that the recommendation be adopted.

**C-19458
Sutton &
Associates, Inc.**

There was presented Mayor and Council Communication No. C-19458 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Sutton & Associates, Inc. in the amount of \$679,577.50 for 365 calendar days for HMAC (hot mix asphaltic concrete) Surface Overlay 2003-4 at various locations. It was the consensus of the City Council that the recommendation be adopted.

**C-19459
Ord. #15433
McClendon
Construction
Company, Inc.**

There was presented Mayor and Council Communication No. C-19459 from the City Manager recommending that the City Council:

1. Authorize the transfer of \$223,878.00 from the Water and Sewer Operating Fund to the Water Capital Project Fund in the amount of \$134,720.00, and the Sewer Capital Project Fund in the amount of \$89,158.00; and
2. Adopt Appropriation Ordinance No. 15433 increasing estimated receipts and appropriations in the Water Capital Project Fund in the amount of \$134,720.00 and the Sewer Capital Project Fund in the amount of \$89,158.00 from available funds for the purpose of funding a contract with McClendon Construction Company, Inc. for Alternate "A" (asphalt pavement) for the reconstruction of Foard Street (East Seminary Drive to north dead end), Brookline Avenue (Trentman Drive to Algerita Street) and Algerita Street (Trentman Drive to Miller Avenue) including water and sanitary sewer main replacements; and
3. Authorize the City Manager to execute a contract with McClendon Construction Company, Inc. for Alternate "A" (asphalt pavement) in the amount of \$560,537.00 for the reconstruction of Foard Street (East Seminary Drive to north dead end), Brookline Avenue (Trentman Drive to Algerita Street), and Algerita Street (Trentman Drive to Miller Avenue) including water and sanitary sewer main replacements.

It was the consensus of the City Council that the recommendation be adopted.

**C-19460
Amendment #4
to CSC #19389 –
Halff Associates,
Inc.**

There was presented Mayor and Council Communication No. C-19460 from the City Manager recommending that the City Council authorize the City Manager to execute Amendment No. 4 to City Secretary Contract No. 19389, with Halff Associates, Inc. in the amount of \$38,200.00 to provide additional survey and design services, thereby increasing the contract amount to \$542,000.00. It was the consensus of the City Council that the recommendation be adopted.

**C-19461
Ord. #15434
Change Order #4
to CSC #27259 –
Oscar Renda
Contracting, Inc.**

There was presented Mayor and Council Communication No. C-19461 from the City Manager recommending that the City Council:

- 1. Authorize the transfer of \$147,148.00 from the Water and Sewer Operating Fund to the Water Capital Project Fund; and**
- 2. Adopt Appropriation Ordinance No. 15434 increasing estimated receipts and appropriations in the Water Capital Project Fund in the amount of \$147,148.00 from available funds for the purpose of funding Change Order No. 4 to City Secretary Contract No. 27259 with Oscar Renda Contracting, Inc. for construction of the Southside II (S2-6) Contract 3, Water Transmission Main, Phase No. 1; and**
- 3. Authorize the City Manager to execute Change Order No. 4 to City Secretary Contract No. 27259 with Oscar Renda Contracting, Inc. in the amount of \$205,327.00 for construction of the Southside II (S2-6) Contract 3, Water Transmission Main, Phase No. 1.**

It was the consensus of the City Council that the recommendation be adopted.

**C-19462
Amendment #1
to CSC #27465 –
Carter &
Burgess, Inc.**

There was presented Mayor and Council Communication No. C-19462 from the City Manager recommending that the City Council authorize the City Manager to execute Amendment No. 1 to City Secretary Contract No. 27465, with Carter & Burgess, Inc., in the amount of \$47,045.00 to provide additional design and survey services on the project, thereby increasing the contract amount to \$767,425.00. It was the consensus of the City Council that the recommendation be adopted.

**C-19463
Cleburne Utility
Construction
Company, Inc.**

There was presented Mayor and Council Communication No. C-19463 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Cleburne Utility Construction Company, Inc., in the amount of \$964,620.00

for Water Main Extensions, Replacements, and Relocations Contract 2002B. It was the consensus of the City Council that the recommendation be adopted.

**C-19464
Reject Bid for
Sanitary Sewer
Main
Replacements
Contract 2002B
Company**

There was presented Mayor and Council Communication No. C-19464 from the City Manager recommending that the City Council authorize the City Manager to reject the bid received for the Sanitary Sewer Main Replacements Contract 2002B; and authorize staff to re-advertise the project for bid. Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

**C-19465
Reject Bid for
Water and Sewer
Main
Replacements
Contract 2002B**

There was presented Mayor and Council Communication No. C-19465 from the City Manager recommending that the City Council authorize the City Manager to reject all bids received for Water and Sewer Main Replacements Contract 2002B; and authorize staff to re-advertise the project for bid. Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

**ZC-02-296
Approved**

It appeared that the City Council, at its meeting of January 14, 2003, continued the hearing of the application of Claudia Hosfelt and Guy and Minnie Browning for a change in zoning of property located in the 3800-4000 block of Keller-Hicks Road and 11200-11300 block of Alta Vista Road from "Unzoned" (Contingent) to "PD/SU" Planned Development/Specific Use for single-family use with 7,000 square feet average lot size and 6,000 square feet minimum lot size, Zoning Docket No. ZC-02-296. Mayor Barr asked if there was anyone present desiring to be heard.

There being no one present desiring to be heard in connection with the application of Claudia Hosfelt and Guy and Minnie Browning, Council Member Haskin made a motion, seconded by Council Member Lane, that the Zoning Hearing be closed and that Zoning Docket No. ZC-02-296 be approved. The motion carried unanimously.

Council Member Silcox assumed his chair.

**ZC-02-287
SP-02-027
Approved**

It appeared that the City Council, at its meeting of January 14, 2003, continued the special hearing of the application of Amjad S. Babaa for a change in zoning of property located in the 300 block of Rand Street from "B" Two-Family and "E" Neighborhood Commercial to "PD/SU" Planned Development/Specific Use for all uses in "E" Neighborhood Commercial plus uses related to the establishment and operation of an auto diagnostics service facility

and supporting uses, Zoning Docket No. ZC-02-287 and Site Plan No. SP-02-027. Mayor Barr asked if there was anyone present desiring to be heard.

Dennis Hopkins Mr. H. Dennis Hopkins, 6850 Manhattan Boulevard #406, representing the applicant, appeared before Council and stated that he had met with neighborhood representatives and they had reached a solution to their concerns. He requested Council approve the zoning case with the following conditions supported by neighborhood representatives:

1. PD/SU Zoning District for single purpose of Computerized Automotive Electronic Diagnostic facility, and supporting office space only. Specifically not to be utilized as a vehicle repair service.
2. Site Plan specific usage only and remove all reference to "gravel" on parking surface and reference hard surface parking only.
3. Building construction to be composed of no less than 50 percent masonry.
4. Monument signage only not to exceed six (6) feet in height and internally lighted only if lighting is utilized.
5. All entrance and egress areas limited to Rand Street only.
6. Entrance to be landscaped and landscaping to be part of the site plan, including complete removal of existing (1/29/03) fence fronting along Rand Street.
7. No outside lighting oriented to the South of subject property.
8. There are to be no automotive repair "pits" or automotive repair "lifts" of any type permitted.
9. Specifically no pole signage or no banners of any type will be permitted.
10. All hard surface parking.
11. No outside storage.
12. Eliminate ingress and egress on North of site plan.

There being no one else present desiring to be heard in connection with the application of Amjad S. Babaa, Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that the Zoning Hearing be closed and that Zoning Docket No. ZC-02-287 and Site Plan No. SP-02-027 be approved with the changes submitted by Mr. Hopkins and by amending the zoning to "PD/SU" Planned Development/Specific Use for all uses in "ER" Neighborhood Commercial Restricted, with no sale of alcohol permitted. The motion carried unanimously.

There being no one else present desiring to be heard in connection with the recommended changes and amendments to Zoning Ordinance No. 13896, Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that the hearing be closed and that the following ordinance be adopted:

ORDINANCE NO. 15435

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, SAME BEING AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY RESIDENCE AND OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF THE BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION, AND FOR SUCH PURPOSES DIVIDING THE MUNICIPALITY INTO DISTRICTS AND THE BOUNDARIES THEREOF UPON "DISTRICT MAPS"; PURPOSE AND CONFLICT; PROVIDING CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.

The motion carried unanimously.

**Citizen
Presentations
Mary Turley**

Ms. Mary Turley, 7904 Rogue River Trail, appeared before Council regarding a drainage problem on property in Park Glen. Mayor Barr asked City Manager Jackson to direct staff to investigate Ms. Turley's concerns and provide a report to Council and Ms. Turley on their findings.

J.D. Madewell

Mr. J. D. Madewell, 2820 NW 25th, appeared before Council and expressed concern for deterioration of the north side of the City. He asked that Council provide additional Code Enforcement of the area.

Adjournment

There being no further business, the meeting was adjourned at 8:50 p.m.